

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: WELLS FARGO MORTGAGE  
LENDING PRACTICES LITIGATION

M:08-CV-01930 MMC

This Document Relates To:

ALL ACTIONS

**NOTICE OF INTENT TO APPOINT  
SPECIAL MASTER  
FOR DISCOVERY PURPOSES**

The Court, having reviewed the record of the discovery disputes in the above-titled action, and having conferred with Magistrate Judge James Larson, hereby finds, pursuant to Rule 53 of the Federal Rules of Civil Procedure, that the appointment of a Special Master for discovery purposes is justified and necessary in light of (1) the complexity and number of discovery disputes raised by the parties, and (2) the numerous requests for court intervention sought by the parties with respect to their discovery disputes. Further, the parties have agreed to such appointment. (See Minutes, filed February 17, 2010.)

Accordingly, pursuant to Rule 53 of the Federal Rules of Civil Procedure, the Court  
ORDERS as follows:

1. Each party shall submit to Magistrate Judge Larson, no later than March 4, 2010, a list of three candidates for appointment as Special Master, who shall have the following duties:

- a. to preside over and decide all pending and future discovery motions in this matter;
- b. to control the sequence, timing, scope, and methods of discovery;
- c. to preside over depositions, document productions, and similar proceedings, should he/she determine such oversight appropriate;
- d. to compel the production of evidence and examination of witnesses or parties under oath;
- e. to rule on all contested discovery matters, including issues of privilege, work product, and trade secret;
- f. to rule on all requests for discovery-related sanctions, as well as to impose such sanctions sua sponte;
- g. to interpret and issue rulings with respect to any protective order entered in the case;
- h. to order the parties to make arrangements for the recording and/or transcription of any and all proceedings before the Special Master; and
- i. to have all other powers specified in Rule 53 of the Federal Rules of Civil Procedure.

2. The Special Master shall be paid his or her normal rate for time spent performing the above-referenced duties. Pursuant to the parties' agreement, all such fees and costs are to be shared by the parties equally, unless the parties have agreed to a different allocation. (See Minutes, filed February 17, 2010.)

3. All reports and findings, as well as any objections and motions in response thereto, shall be filed with the Clerk of the Court.

4. There currently are pending before the Court the following discovery matters, which, by the instant order, are referred to the Special Master for resolution:

- a. Joint Statement Of Discovery Dispute (Docket No. 174);
- b. Plaintiffs' Statement of Discovery Dispute (Docket No. 169);

1 c. Plaintiffs' Motion to Compel Production of Documents Relating To  
2 Methodologies Used By Wells Fargo In Its Fair Lending Analyses (Docket Nos. 183, 189);  
3 and

4 d. Joint Statement Of Discovery Dispute (Docket No. 208).

5 **IT IS SO ORDERED.**

6  
7 DATED: February 18, 2010

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MAXINE M. CHESNEY  
United States District Judge